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# Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination against Women**
**Seventy-first session**

**Summary record of the 1629th meeting**
Held at the Palais des Nations, Geneva, on Monday, 22 October 2018, at 10 a.m.

*Chair*: Ms. Leinarte

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*The meeting was called to order at 10 a.m.*

**Opening of the session**

1. *The Chair declared open the seventy-first session of the Committee.*

**Statement by the representative of the Secretary-General**

2. **Mr. Salama** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that he wished to pay tribute to the outgoing members of the Committee whose terms were due to expire at the end of 2018 and to salute the relentless efforts that they had made in advancing the rights of women and girls around the world.

3. The Committee should be commended on a number of key achievements. First, a judgment issued by the Spanish Supreme Court had recognized that the views of the Committee in communication No. 47/2012 (CEDAW/C/58/D/47/2012), *González Carreño v. Spain*, were binding on the State authorities. That judgment illustrated the impact of the work of the treaty bodies and would serve as guidance in other jurisdictions. Second, the Committee members had made significant improvements to the Committee's working methods under the State party review procedure, as reflected by the comments made by the head of delegation of New Zealand following that State party's interactive dialogue with the Committee. Third, a judgment issued by the United Kingdom Supreme Court had included numerous citations of the Convention and the Committee's inquiry report on restrictive access to abortion services in Northern Ireland (CEDAW/C/OP.8/GBR/1). Lastly, the guidance provided to States parties through the Committee's general recommendations, including its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, had made positive contributions to the development of international human rights law.

4. Noting that the Intergovernmental Panel on Climate Change had approved its special report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, he said that the Committee played a key role in ensuring that States parties took measures to protect women and girls against the adverse impact of climate change. In that regard, the Committee should continue to ensure that States followed the guidance contained in general recommendation No. 37 (2018) on gender-related dimensions of disaster risk reduction in the context of climate change.

5. The Committee had requested the Government of Myanmar to provide information on cases of sexual violence perpetrated against Rohingya women and girls by State security forces. In that connection, the independent international fact-finding mission on Myanmar established by the Human Rights Council had issued a shocking report on a military-led campaign to commit grave crimes, including crimes of sexual violence, against Rohingya women and girls. In the light of that report, the Council had adopted resolution 39/2 establishing an independent mechanism to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011. On 6 September 2018, the Pre-Trial Chamber of the International Criminal Court had issued a ruling stating that it was considering exercising jurisdiction over the deportation of the Rohingya people from Myanmar to Bangladesh.

6. The Council had adopted a number of resolutions pertaining to the rights of women and girls, including resolution 39/10 on preventable maternal mortality and morbidity and human rights in humanitarian settings, which urged States to respect, protect and fulfil sexual and reproductive health and rights; resolution 39/6 on the safety of journalists, which condemned attacks on women journalists and media workers in relation to their work; resolution 39/8 on the human right to safe drinking water and sanitation, which highlighted the importance of ensuring that effective remedies were available for violations of economic, social and cultural rights, including the human right to safe drinking water and sanitation; and resolution 39/12 on the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, which urged States to pay attention to the rights and special needs of peasants and other people working in rural areas, including older persons and women.

7. In his presentation on the Secretary-General's annual report on cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/39/41), the Assistant Secretary-General for Human Rights had noted that women who cooperated with the United Nations were subjected to intimidation and reprisals, including at Headquarters and the United Nations Office at Geneva. In view of the fact that, during its previous session, the Committee had endorsed the Guidelines against Intimidation or Reprisals (San José Guidelines) and appointed a Rapporteur and Alternate Rapporteur on intimidation and reprisals, it was urged to continue working with OHCHR to eradicate intimidation and reprisals.

8. The Deputy High Commissioner had presented the report of the Office of the United Nations High Commissioner for Human Rights containing draft guidelines for States on the effective implementation of the right to participate in public affairs (A/HRC/39/28) for consideration of the Human Rights Council. Those guidelines put forward a number of practical recommendations on ensuring women's participation in public affairs, including that States should take proactive measures to strengthen the representation and equal participation of women in electoral processes. The draft guidelines also recommended that States should adopt temporary special measures to increase the participation of women, including through training programmes and adjustments to campaign finance regulations.

9. On 8 November 2018, the Committee would be holding an informal meeting with States parties to discuss the Sustainable Development Goal indicators and the main challenges that the Committee faced in its efforts to implement General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system. That meeting presented an opportunity for the Committee to highlight the lack of resources available for its mandated work, particularly with regard to the individual communications and inquiry procedures. In that regard, he remained hopeful that durable solutions would be found to the institutional and other challenges faced by the treaty body system.

10. **Ms. Ameline** said that, in view of the fact that international law and multilateralism were under threat around the world, it was necessary for the whole of the United Nations system to mobilize in order to promote women's empowerment and prevent their rights from being eroded. In that regard, the Committee looked forward to working with the newly appointed United Nations High Commissioner for Human Rights.

11. **Mr. Salama** (Office of the United Nations High Commissioner for Human Rights) said he trusted that, as a former Executive Director of UN-Women, the new High Commissioner would establish an excellent relationship with the Committee.

12. **Ms. Schulz** said that the judgment issued by the Supreme Court of Spain represented an extraordinary breakthrough in the protection of the human rights of women. The Committee was greatly encouraged by the fact that the Court had found the Committee's recommendations to be legally binding. The perseverance and courage of the author of the complaint, and the non-governmental organizations (NGOs) that had supported her, were to be commended.

13. **Mr. Salama** (Office of the United Nations High Commissioner for Human Rights) said that, if the landmark judgment issued by the Supreme Court of Spain became a precedent, it would boost the influence and profile of the treaty bodies and encourage other victims to come forward with their complaints. The judgment would also assist the treaty bodies in their efforts to draw the attention of States parties to the fact that communications procedures were underfunded.

14. **Ms. Haidar** said that steps should be taken to compile lists of the different ways in which the treaty bodies had had an impact on the promotion and protection of human rights, as such lists would serve to inform the 2020 review of the treaty body system.

15. **Mr. Salama** (Office of the United Nations High Commissioner for Human Rights) said that it was indeed necessary to document the achievements of the treaty bodies. In undertaking that task, it would be necessary to find the required human resources and to overcome the difficult challenge of demonstrating that the actions of the treaty bodies had a positive impact on human rights.

**Adoption of the agenda and organization of work** (CEDAW/C/71/1)

16. *The agenda was adopted.*

**Report of the Chair on activities undertaken between the seventieth and seventy-first sessions of the Committee**

17. **The Chair** said that she wished to pay tribute to Ms. Acar, Ms. Arocha Domínguez, Ms. Halperin-Kaddari, Ms. Hayashi, Ms. Hofmeister, Ms. Jahan and Ms. Schulz, whose terms as members of the Committee were due to expire at the end of 2018.

18. Since the previous session, the number of States parties that had ratified or acceded to the Convention had remained at 189. On 24 and 30 July 2018 respectively, Paraguay and Malaysia had accepted the amendment to article 20 (1) of the Convention concerning the Committee's meeting time, bringing the number of States parties having accepted the amendment to 74, 52 short of the 126 total required to bring the amendment into force. The number of States parties to the Optional Protocol had remained at 109. Three States parties — Iraq, Lithuania and Pakistan — had submitted periodic reports since the opening of the previous session. Following the decision taken at the end of the sixty-ninth session to reinstate the simplified reporting procedure, 22 States parties had indicated that they wished to avail themselves of that procedure. Of those States parties, 12 qualified to be reviewed under the procedure.

19. On 28 September 2018, at the University of Cambridge, she had delivered a keynote address on sexual and reproductive rights in which she had spoken about the Committee's jurisprudence on that issue and the findings of the Committee under the inquiry procedures concerning the Philippines and the United Kingdom. She had also spoken about the joint statement by the Committee on the Rights of Persons with Disabilities and the Committee on the Elimination of Discrimination against Women, entitled "Guaranteeing sexual and reproductive health and rights for all women, in particular women with disabilities", adopted on 29 August 2018.

20. On 2 October 2018, at the University of Colorado at Boulder, she had participated in a meeting of regional and international mechanisms on violence against women that had been initiated and coordinated by the Special Rapporteur on violence against women with the aim of sharing good practices and jurisprudence between bodies.

21. On 5 October 2018, she had presented the report of the Committee on its sixty-seventh, sixty-eighth and sixty-ninth sessions (A/73/38) to the Third Committee and engaged in an interactive dialogue with Member States. On that occasion, she had highlighted the Committee's engagement with the Sustainable Development Goals, the strengthening of its institutional collaboration with a number of United Nations agencies and the signing of a framework for cooperation with the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict. She had also raised the issue of the reprisals and intimidation faced by women human rights defenders for cooperating with the Committee. On the issue of treaty-body strengthening, she had mentioned the progress made in the implementation of General Assembly resolution 68/268 while highlighting the challenges faced by the Committee in implementing its mandate. A number of delegates had welcomed the adoption of general recommendation No. 37 (2018) and had asked about the status of the general recommendations on gender stereotypes and indigenous women and the possibility of a general recommendation on gender equality in the digital age.

22. **Ms. Gabr** said that she had given a presentation at a regional seminar in Egypt on the Sustainable Development Goals and gender equality for the parliaments of the Middle East and North Africa, held at the Bibliotheca Alexandrina. She had also given presentations on human trafficking at the Institute of Diplomatic Studies and the Cairo International Centre for Conflict Resolution, Peacekeeping and Peacebuilding and had supported the Blue Heart Campaign against Human Trafficking.

23. **Ms. Haidar** said that she had also participated in the regional seminar mentioned by Ms. Gabr, where she had addressed the question of legal reforms aimed at promoting gender equality and a life free from violence for women and girls. She had given two

presentations on issues concerning human rights defenders at the thirteenth International Conference of National Human Rights Institutions in Marrakech, Morocco. Lastly, she had participated as a panellist in a public event on ending statelessness by 2024 at the recent Inter-Parliamentary Union (IPU) Assembly.

24. **Ms. Schulz** said that she had taken part in the public consultation on the draft guiding principles for human rights impact assessments for economic reform policies organized by the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, in which she had called for giving greater attention to the gender dimension in the guidelines. She had participated in a one-week tour involving meetings and lectures in various Japanese cities at the invitation of the Japan NGO Network for the Committee on the Elimination of Discrimination against Women and of other women's human rights organizations. The lectures and meetings had focused on the importance for Japan of ratifying the Optional Protocol to the Convention.

25. **Ms. Rana** said that she had been the facilitator for a two-day workshop organized by the Global Network of Women Peacebuilders and the 1325 Action Group of Nepal in August 2018 on best practices for the implementation of Security Council resolution 1325 (2000) and related resolutions on women and peace and security. She had been the keynote speaker at the third regional meeting to end child marriage in South Asia organized by the South Asian Association for Regional Cooperation and hosted by the Government of Sri Lanka in Colombo in September 2018. She had highlighted the Committee's procedures for strengthening accountability and had assisted in finalizing the Association's priority strategic actions for 2018–2019. She had also taken part in a workshop to draft a strategy on child sexual abuse and exploitation, including online safety, for the region. Lastly, she had given presentations on promoting a gender-based approach to environmental disasters, with a particular focus on general recommendation No. 37 (2018), at the dialogue between International Commission of Jurists and South Asian judges and on strengthening advocacy for sexual and reproductive health and rights at an event held by the International Planned Parenthood Federation.

26. **Ms. Narain** said that, in July 2018, she had given a talk on international women's rights, the Convention and the work of the Committee to a civil society group. She had also participated in a meeting on sexual harassment organized by UN-Women in July 2018 in New York, entitled "Feminist Think Space". Many experts had expressed an interest in the drafting of a general recommendation on sexual harassment and the Committee's meeting with the Executive Director of UN-Women during the current session would provide scope for further discussion in that regard.

27. **Ms. Acar** said that she had chaired the tenth meeting of the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence in September 2018. She had also attended the meeting of regional and international mechanisms on violence against women in Boulder, Colorado, in October 2018 in her capacity as President of that Group of Experts. The Council of Europe would be holding a similar event in Strasbourg in May 2019 on strengthening international cooperation to close the gap between legal frameworks and their implementation. It would be divided into two parts, namely ending violence against women to accelerate the achievement of the Sustainable Development Goals and putting the safety of victims first in child custody and domestic violence cases. Ms. Halperin-Kaddari would be the keynote speaker for the second part and she hoped that other Committee members would be able to attend.

28. **Ms. Acosta Vargas** said that she had represented the Committee at a General Assembly side event entitled "Promoting Gender-Responsive Migration Governance through the Global Compact for Migration", at which she outlined three key areas regarding migrants, namely legal protection, fair rules of reception and access to justice. In September and October 2018, she had given classes on gender studies at two universities. She had held two meetings concerning a future general recommendation on the rights of indigenous women, one with the international women's human rights organization MADRE and the other with the Chair of the International Indigenous Women's Forum.

29. **Ms. Bethel** said that, in July 2018, she had participated in a meeting in London hosted by Sisters for Change and Equality Now, addressing outdated colonial laws in Commonwealth countries regarding gender-based violence and discrimination against women. In August 2018, she had made a formal presentation to the delegation of the Bahamas on the workings of, and the processes of appearing before, the Committee. She had participated as a guest on a World Trade Organization panel, where she had presented a framework for trade liberalization from the perspective of women's rights. She had also given a presentation on the rights under the Convention to students at the University of the Bahamas and the human rights group Rights Bahamas in October 2018.

30. **Ms. Hayashi** said that she welcomed the efforts by Ms. Schulz and local NGOs in encouraging the Japanese Government to ratify the Optional Protocol to the Convention. She hoped their work would bear fruit in the near future.

31. **Ms. Halperin-Kaddari** said that, in October 2018, she had taken part in the Economic Commission for Europe regional conference to prepare for the upcoming twenty-fifth anniversary of the International Conference on Population and Development, where she had highlighted the challenges faced by the Committee and had drawn attention to its concluding observations and jurisprudence.

32. **Ms. Manalo** said that the State Counsellor of Myanmar, Aung San Suu Kyi, had requested her to chair a commission of inquiry into human rights abuses against the Rohingya population. She would present the results of the inquiry to the Committee.

33. **Ms. Ameline** said that she wished to commend IPU and UN-Women on their efforts to link the Convention with the Sustainable Development Goals. She was pleased to observe that States parties were using the Convention as an effective road map in furthering women's rights.

34. **Ms. Eghobamien-Mshelia** said that a consultation she had attended with stakeholders in Nigeria had recognized the need for greater cooperation in implementing the Convention and for building synergies among partners. Following a meeting in August 2018, the British High Commissioner to Nigeria had agreed to set up a virtual hub to allow for a better understanding on how to relate with the Committee and comply with the Convention. The hub would be active before the end of 2018 and the initial focus would be on violence against women, women and peace and security, governance and leadership. With support from the Open Working Group on Sustainable Development Goals, she had begun work to explore the possibility of entering into partnerships with the private sector with a view to increasing its involvement in the implementation of the Goals from a gender perspective. The Group had agreed to hold a conference call with the Committee during the session to that end.

35. **Ms. Gbedemah** said that she had attended a workshop on treaty body capacity-building in Zambia in September, where she had spoken about the Convention and the mechanisms for reporting to the Committee. She had been heartened by the high level of interest shown in the work of the Committee and the simplified reporting procedure in particular.

36. **Ms. Verges** said that she had worked with a group of women leaders in Mauritania on the establishment of a forum for discussion with religious leaders with the aim of harmonizing the various religious laws concerning the protection of women's rights and the way in which they were interpreted.

37. **Ms. Schulz** said that she was concerned by the slow increase in the number of States parties that had accepted the amendment to article 20 of the Convention. She proposed addressing the issue at the next formal meeting with States parties with a view to reaching the two-thirds majority required for the amendment to enter into force.

38. **The Chair** said that the issue would be discussed by the Working Group on Working Methods.

**Consideration of reports submitted by States parties under article 18 of the Convention**

39. **Ms. Schulz**, introducing the report of the Chair of the pre-sessional working group for the seventy-first session, said that the group had met from 12 to 16 March 2018 in Geneva to draw up lists of issues and questions concerning the periodic reports of the Bahamas, the Congo, the Lao People's Democratic Republic, Mauritius, Samoa, Tajikistan and the former Yugoslav Republic of Macedonia.

40. The reports of the States parties mentioned above, information provided by States parties in follow-up to the Committee's concluding observations on their previous reports, along with the core documents of all but the Bahamas and Samoa, had informed the preparation of the lists of issues and the questions. The working group had also drawn on the Committee's general recommendations, information and draft lists of issues provided by the secretariat and the concluding observations of the Committee and other treaty bodies, where relevant. The group had received written and oral information from entities and specialized agencies of the United Nations system, NGOs and national human rights institutions. The final lists of issues and questions had been transmitted to the States parties concerned.

**Follow-up to the consideration of reports submitted by States parties under article 18 of the Convention**

41. **Ms. Gbedemah** (Rapporteur on follow-up), briefing the Committee on follow-up reports received from States parties, said that, at the seventieth session, follow-up letters outlining the assessment of follow-up reports had been sent to Czechia, Eritrea, Kyrgyzstan, Slovakia, Sweden, Uganda, the Bolivarian Republic of Venezuela and Viet Nam.

42. First reminders about overdue follow-up reports had been sent to Iceland. The Committee had received follow-up reports from Azerbaijan with a 14-month delay, France with a 1-month delay, Gabon with a 12-month delay, Japan with a 1-month delay, Mongolia with a 3-month delay, the Russian Federation with a 5-month delay, and Turkey and Vanuatu on time. The country rapporteurs for Azerbaijan, France, Gabon, Mongolia, the Russian Federation and Turkey were invited to assist in the assessment of the follow-up reports. Volunteers were sought to assist in the assessment of the reports submitted by Japan and Vanuatu.

43. During the current session, first reminders should be sent to Albania, Haiti, Mali, Myanmar, Trinidad and Tobago, the United Republic of Tanzania and Uruguay. In addition, meetings regarding overdue follow-up reports should be scheduled with representatives of Ghana, Lebanon, Liberia, Madagascar, Malawi, Timor-Leste and the United Arab Emirates.

*The meeting rose at 11.15 a.m.*